

FIRST REGULAR SESSION

HOUSE BILL NO. 312

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE THOMSON.

0833L.01I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 174.700, 174.703, 174.706, and 544.157, RSMo, and to enact in lieu thereof six new sections relating to college or university police officers.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 174.700, 174.703, 174.706, and 544.157, RSMo, are repealed and
2 six new sections enacted in lieu thereof, to be known as sections 174.700, 174.703, 174.706,
3 174.709, 174.712, and 544.157, to read as follows:

174.700. The board of regents or board of governors of any state college or university
2 may appoint and employ as many college or university police officers as it may deem necessary
3 to **enforce regulations established under section 174.709 and general motor vehicle laws of**
4 **this state in accordance with section 174.712**, protect persons, property, and to preserve peace
5 and good order only in the public buildings, properties, grounds, and other facilities and locations
6 over which it has charge or control and to respond to emergencies or natural disasters outside of
7 the boundaries of university property and provide services if requested by the law enforcement
8 agency with jurisdiction.

174.703. **1.** The college or university police officers, before they enter upon their duties,
2 shall take and subscribe an oath of office before some officer authorized to administer oaths, to
3 faithfully and impartially discharge the duties thereof, which oath shall be filed in the office of
4 the board, and the secretary of the board shall give each college police officer so appointed and
5 qualified a certificate of appointment, under the seal of the board, which certificate shall
6 empower him or her with the same authority to maintain order, preserve peace and make arrests
7 as is now held by peace officers.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

8 **2. The college or university police officers shall have the authority to enforce the**
9 **regulations established in section 174.709 and general motor vehicle laws in accordance**
10 **with section 174.712 on the campus as proscribed in chapter 304.** The college or university
11 police officer may in addition expel from the public buildings, campuses, and grounds, persons
12 violating the rules and regulations that may be prescribed by the board or others under the
13 authority of the board.

14 **3. Such officer or employee of the state college or university as may be designated by**
15 **the board shall have immediate charge, control and supervision of police officers appointed by**
16 **authority of this section. Such college or university police officers shall have satisfactorily**
17 **completed before appointment a training course for police officers as prescribed by chapter 590**
18 **for state peace officers or, by virtue of previous experience or training, have met the**
19 **requirements of chapter 590, and have been certified under that chapter.**

 174.706. Nothing in sections 174.700 to 174.706 shall be construed as denying the board
2 the right to appoint guards or watchmen who shall not be given the authority and powers
3 authorized by sections 174.700 to [174.706] **174.712.**

174.709. 1. For the purpose of promoting public safety, health, and general welfare
2 **and to protect life and property, the board of regents or board of governors of any state**
3 **college or university may establish regulations to control vehicular traffic, including speed**
4 **regulations, on any thoroughfare owned or maintained by the state college or university**
5 **and located within any of its campuses. Such regulations shall be consistent with the**
6 **provisions of the general motor vehicle laws of this state. Upon adoption of such**
7 **regulations, the state college or university shall have the authority to place official traffic**
8 **control signals, as defined in section 300.010, on campus property.**

9 **2. The regulations established by the board of regents or board of governors of any**
10 **state college or university under subsection 1 of this section shall be codified, printed, and**
11 **distributed for public use. Adequate signs displaying the speed limit shall be posted along**
12 **such thoroughfares.**

13 **3. Violations of any regulation established under this section shall have the same**
14 **effect as a violation of municipal ordinances adopted under section 304.120, with penalty**
15 **provisions as provided in section 304.570. Points assessed against any person under section**
16 **302.302, for a violation of this section shall be the same as provided for a violation of a**
17 **county or municipal ordinance.**

18 **4. The provisions of this section shall apply only to moving violations.**

174.712. All motor vehicles operated upon any thoroughfare owned or maintained
2 **by the state college or university and located within any of its campuses shall be subject to**
3 **the provisions of the general motor vehicle laws of this state, including chapters 301, 302,**

4 **303, 304, 307, and 577. Violations shall have the same effect as though such had occurred**
5 **on public roads, streets, or highways of this state.**

544.157. 1. Any law enforcement officer certified pursuant to chapter 590 of any
2 political subdivision of this state, any authorized agent of the department of conservation, any
3 commissioned member of the Missouri capitol police, **any college or university police officer**,
4 and any commissioned member of the Missouri state park rangers in fresh pursuit of a person
5 who is reasonably believed by such officer to have committed a felony in this state or who has
6 committed, or attempted to commit, in the presence of such officer or agent, any criminal offense
7 or violation of a municipal or county ordinance, or for whom such officer holds a warrant of
8 arrest for a criminal offense, shall have the authority to arrest and hold in custody such person
9 anywhere in this state. Fresh pursuit may only be initiated from within the pursuing peace
10 officer's, conservation agent's, capitol police officer's, **college or university police officer's**, or
11 state park ranger's jurisdiction and shall be terminated once the pursuing peace officer is outside
12 of such officer's jurisdiction and has lost contact with the person being pursued. If the offense
13 is a traffic violation, the uniform traffic ticket shall be used as if the violator had been
14 apprehended in the municipality or county in which the offense occurred.

15 2. If such an arrest is made in obedience to a warrant, the disposition of the prisoner shall
16 be made as in other cases of arrest under a warrant; if the violator is served with a uniform traffic
17 ticket, the violator shall be directed to appear before a court having jurisdiction to try the offense;
18 if the arrest is without a warrant, the prisoner shall be taken forthwith before a judge of a court
19 with original criminal jurisdiction in the county wherein such arrest was made or before a
20 municipal judge thereof having original jurisdiction to try such offense, who may release the
21 person as provided in section 544.455, conditioned upon such person's appearance before the
22 court having jurisdiction to try the offense. The person so arrested need not be taken before a
23 judge as herein set out if given a summons by the arresting officer.

24 3. The term "fresh pursuit", as used in this section, shall include hot or fresh pursuit as
25 defined by the common law and also the pursuit of a person who has committed a felony or is
26 reasonably suspected of having committed a felony in this state, or who has committed or
27 attempted to commit in this state a criminal offense or violation of municipal or county ordinance
28 in the presence of the arresting officer referred to in subsection 1 of this section or for whom
29 such officer holds a warrant of arrest for a criminal offense. It shall include also the pursuit of
30 a person suspected of having committed a supposed felony in this state, though no felony has
31 actually been committed, if there is reasonable ground for so believing. "Fresh pursuit" as used
32 herein shall imply instant pursuit.

33 4. A public agency electing to institute vehicular pursuits shall adopt a policy for the safe
34 conduct of vehicular pursuits by peace officers. Such policy shall meet the following minimum
35 standards:

36 (1) There shall be supervisory control of the pursuit;

37 (2) There shall be procedures for designating the primary pursuit vehicle and for
38 determining the total number of vehicles to be permitted to participate at one time in the pursuit;

39 (3) There shall be procedures for coordinating operation with other jurisdictions; and

40 (4) There shall be guidelines for determining when the interests of public safety and
41 effective law enforcement justify a vehicular pursuit and when a vehicular pursuit should not be
42 initiated or should be terminated.

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